

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Marcia Melendez, Jarican Realty Inc.,
1025 Pacific LLC, Ling Yang, Top East
Realty LLC, and Haight Trade LLC,

Plaintiffs,

v.

The City of New York, a municipal entity,
Bill de Blasio, as Mayor of the City of New York,
Louise Carroll, Commissioner of New York City
Department of Housing Preservation &
Development, and Jonnel Doris, Commissioner of
New York City Department of Small Business
Services,

Defendants.

**NOTICE OF MOTION
TO DISMISS**

20 CV 05301 (RA)

Oral Argument Requested

PLEASE TAKE NOTICE that upon the annexed Declaration of Carlos Fernando Ugalde Alvarez dated August 12, 2020, together with the exhibits annexed thereto, the accompanying memorandum of law, and all of the papers and proceedings had herein, Defendants will move this Court, before the Honorable Ronnie Abrams, at the United States Courthouse for the Southern District of New York, located at 40 Foley Square, New York, New York, on a date and at a time to be designated by the Court, for an order and judgment dismissing the Complaint in the above-captioned action pursuant to Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure, together with such other and further relief as the Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE that, pursuant to the Court's Order dated July 31, 2020, Plaintiffs shall serve opposition to the instant motion on or before August 26, 2020, and Defendants shall serve any reply in support of the instant motion on or before September 2, 2020.

Defendants hereby request oral argument on this motion.

Dated: New York, New York
August 12, 2020

JAMES E. JOHNSON
Corporation Counsel of the City of New York
Attorney for Defendants

By: _____/s/_____
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TO: Counsel of Record (via ECF)